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EXAMINER

NGUYEN, JOSEPH D

ART UNIT	PAPER NUMBER
	2683

DATE MAILED: 08/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/924,133	STANLEY, WINFIELD SCOTT	
	Examiner	Art Unit	
	Joseph D Nguyen	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 August 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-54 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-54 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 August 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being improper hybrid claims (the combination of method and apparatus in the same claim's set. i.e: in claim 1 line 1, "a mechanical user interface (MUI)" is the apparatus claim, and in line 4, "a method inherent in physical design" is the method claim).

Claim Objections

2. Claim 49 is objected to because of the following informalities:

Regarding claim 49, the abbreviation "LC" needs to be defined. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2683

4. Claims 1-5, 7-8, 13, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Chennakeshu et al. (6,542,758).

Regarding claim 1, Chennakeshu et al. discloses a mechanical user interface (MUI) for a wireless communications device (abstract, #40 fig. 1) comprising:

- a) a communications keypad (#44 fig. 1) coupled to the steering wheel of a motor vehicle;
- b) a visual operational display (#46 fig. 1);
- c) a method inherent in physical design enabling operation by touch rather than sight (When the keypad is used to dial the number to make a call which means, the physical design enabling operation by touch rather than sight) (#40 fig. 1, col. 4 lines 40-59).

Regarding claim 2, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising:

- a) a remote and/or direct communications link to a host cell-phone (#60 fig. 11, col. 8 lines 17-30);
- b) a remote and/or direct communications link to a voice/speaker interface or headset (fig. 3-9, col. 5 line 9 thru col. 6 line 65).

Regarding claim 3, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising:

- a) a communications keypad (#44 fig. 1, and col. 5 line 9 thru col. 6 line 65). coupled to a steering wheel;

b) a remote and/or direct communications link to a host cell-phone (fig. 5-6, col. 6 lines 30-43);

c) a remote and/or direct communications link to a voice/speaker interface or headset (fig. 3-9, col. 5 line 9 thru col. 6 line 65).

Regarding claim 4, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: a remote and/or direct communications link to a cell phone (fig. 5-6, col. 6 lines 30-43).

Regarding claim 5, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: wireless communication connectivity (col. 6 lines 30-43).

Regarding claim 7, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: operational keys (#86 fig. 12) placed so as to be positioned on the backside of the steering wheel relative to the vehicle operator.

Regarding claim 8, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: operational keys placed so as to be positioned at the fingertips of the vehicle operator (#86 fig. 12).

Regarding claim 13, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: a speakerphone (#50 fig. 1).

Regarding claim 15, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: wireless connectivity (fig. 1, col. 3 line 58 thru col. 4 line 9).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chennakeshu et al. (6,542,758) in view of Baratono et al. (6,625426).

Regarding claim 6, Chennakeshu et al. discloses the invention in accordance with claim 1. However, Chennakeshu et al. does not specifically discloses the invention in claim 1 further comprising: a remote and/or direct communications link to the internet.

Baratono et al. teaches a remote and/or direct communications link to the internet (wireless web) (col. 7 line 17-21). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. system with the teaching of Baratono et al. of remote communication link to the internet in order to receive email or information from the internet while operating the vehicle.

7. Claims 9-10, 18-19, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennakeshu et al. (6,542,758) in view of Schmidt (4,522,518).

Regarding claim 9, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: the keypad (#86 fig. 12). However, Chennakeshu et al. does not specifically disclose raised lettering.

Schmidt teaches the keys with raised lettering (col. 9 lines 56-61). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the teaching of Schmidt of raised lettering in order to facilitate no-look operation and to designate raised letters distinguishing the feel of these key-tops from other keys.

Regarding claim 10, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: the keypad (#86 fig. 12). However, Chennakeshu et al. does not disclose the keypad with raised lettering on keys placed off-center of key as tactile cue.

Schmidt teaches raised lettering on keys placed off-center of key as tactile cue (fig. 2, col. 9 lines 56-61). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. system with the teaching of Schmidt of raised lettering on keys placed off-center of key as tactile cue in order to facilitate no-look operation and to designate raised letters distinguishing the feel of these key-tops from other keys.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 9.

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 30, this claim is rejected for the same reason as set forth in claim 9.

8. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennakeshu et al. (6,542,758) in view of Kawasaki (6,049,288).

Regarding claim 11, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: a visual display (#46 fig. 1). However, Chennakeshu et al. does not specifically disclose a visual display operational-display which rotates, allowing it to be read vertically and horizontally.

Kawasaki teaches a visual display operational-display which rotates, allowing it to be read vertically and horizontally (#9 fig. 1-2, col. 6 lines 50-63, and col. 10 lines 48-65). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. with the teaching of Kawasaki of rotational display in order to provide the driver the current location information necessary while driving.

Regarding claim 12, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising: a visual display (#46 fig. 1). However, Chennakeshu et al. does not specifically disclose a visual operational-display capable of maintaining verticality independent of the plain maintained by the MUI control facial.

Kawasaki teaches a visual operational-display capable of maintaining verticality independent of the plain maintained by the MUI control facial (#9 fig. 1-4). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was

made to modify the Chennakeshu et al. with the teaching of Kawasaki of visual display capable of maintaining verticality independent in order to provide the driver the current position information necessary while driving.

9. Claims 17, 20-29, 31-42, 44-51, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennakeshu et al. (6,542,758).

Regarding claim 17. A method for operation of a mechanical user interface (MUI) for a wireless communications device coupled to the steering wheel of a motor vehicle (abstract, fig. 1) comprising:

- a) placement of at least one hand on steering wheel in order that a user may initiate or otherwise transact wireless communication through the act of depression of keys on keypad (fig. 1-13, col. 7 line 59 thru col. 8 lines 16).
- b) tactile operational cues on fascia and housing designed for method of operation not requiring visual cues for operation (fig. 1-13, col. 7 line 59 thru col. 8 lines 16).
- c) keypad operation through the use of tactile cues on fascia and housing allowing through method and utility a vehicle operator's train of vision to remain unimpeded (fig. 1-13, col. 7 line 59 thru col. 8 lines 16). However, Chennakeshu et al. does not specifically discloses the same method steps. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method steps.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 9.

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 20, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, key placement positioned along the backside of steering wheel (fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 21, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, shape and patterning of key arrangement (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 22, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, shape of keys (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would

have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 23, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, angle of keys (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 24, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, finger grooves and bumps for orientation of hand along fascia (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 25, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, finger grooves and bumps for orientation of hand along housing (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 26, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: operational keys placed so as to be positioned at the fingertips of the vehicle operator (#86 fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 27, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, operational keys placed so as to be positioned on the backside of the steering wheel relative to the vehicle operator (fig. 12). However, Chennakeshu et al. does not specifically discloses the same method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 28, Chennakeshu et al. further discloses the invention in accordance with claim 17 further comprising: tactile operational cues not requiring visual cues for operation including, raised lettering on keys patterning of key placement shape of keys angle of keys finger grooves and bumps for orientation of user's hand along fascia finger grooves and bumps for orientation of user's hand along housing operational keys placed so as to be positioned on the backside of the steering wheel operational keys placed so as to be positioned at the fingertips of the vehicle operator (fig. 12). However, Chennakeshu et al. does not specifically discloses the same

method step. But it would have been obvious to one ordinary skilled in the art that the Chennakeshu et al. system would be designed to operate the same method step.

Regarding claim 29, Chennakeshu et al. discloses a mechanical user interface (MUI) for a wireless communications device (abstract, fig. 1 and 12) comprising:

- a) a communications keypad (#86 fig. 12, col. 7 lines 59-67) coupled to the steering wheel of a motor vehicle;
- b) a communications keypad capable of being readily uncoupled from the steering wheel of a motor vehicle (#86 fig. 12, col. 7 lines 59-67);
- c) keypad operation through the use of tactile cues on fascia and housing tactile operational cues on fascia and housing designed for method of operation not requiring visual cues for operation (#86 fig. 12, col. 7 lines 59-67). However, Chennakeshu et al. does not specifically disclose keypad operation through the use of tactile cues on fascia and housing tactile operational cues on fascia. But it would have been obvious to one ordinary skilled in the art that the keypad of Chennakeshu et al. system would operate through the use of tactile cues on fascia.

Regarding claim 31, this claim is rejected for the same reason as set forth in claim 20.

Regarding claim 32, this claim is rejected for the same reason as set forth in claim 21.

Regarding claim 33, this claim is rejected for the same reason as set forth in claim 22.

Regarding claim 34, this claim is rejected for the same reason as set forth in claim 23.

Regarding claim 35, this claim is rejected for the same reason as set forth in claim 24.

Regarding claim 36, this claim is rejected for the same reason as set forth in claim 25.

Regarding claim 37, this claim is rejected for the same reason as set forth in claim 26.

Regarding claim 38, this claim is rejected for the same reason as set forth in claim 27.

Regarding claim 39, this claim is rejected for the same reason as set forth in claim 28.

Regarding claim 40, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: tactile design orientations on dialing fascia coupled to steering wheel enable a motor vehicle operator to maintain consistent hand contact with the steering wheel, while initiating, fielding, or terminating phone calls through the method of touch (fig. 12-13, col. 7 line 59 thru col. 8 line 16).

Regarding claim 41, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: a dialing key pad coupled to a steering wheel whereon are placed raised numbers, symbols, and/or designators (fig. 12-13, col. 7 line 59 thru col. 8 line 16).

Regarding claim 42, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: a dialing keypad placed on a steering wheel whereon tactile designators assign recognition value meaningful to the user for operating keypad functions on the basis of touch (fig. 12-13, col. 7 line 59 thru col. 8 line 16).

Regarding claim 44, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: a visual display coupled to vehicle console (#46 fig. 1).

Regarding claim 45, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: a visual display placed along a driver's line of sight to the road (#46 fig. 1).

Regarding claim 46, this claim is rejected for the same reason as set forth in claim 12.

Regarding claim 47, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: an interfacing link to a host wireless communications device (#32 fig. 2, col. 4 lines 10-67).

Regarding claim 48, Chennakeshu et al. further discloses the invention in accordance with claim 29 further comprising: an input keypad (#44 fig. 1) coupled to a steering wheel an interfacing link between voice/speech interface, input keypad, and cell phone (fig. 6-13, col. 6 lines 5-65).

Regarding claim 49, Chennakeshu et al. discloses a mechanical user interface (MUI) for a wireless communications device (#40 fig. 1) comprising:

- a) a communications keypad (#86 fig. 12) with utility for secure attachment to a steering wheel of a motor vehicle;
- b) Keypad operation through the use of tactile cues on fascia and housing (fig. 12);
- c) tactile operational cues on fascia and housing designed for method of operation not requiring visual cues for operation (fig. 12).
- d) a rotating LC display (#46 fig. 1) capable of independent clockwise or counterclockwise rotation within the body of device, and therefore capable of vertical display at varying angles.
- e) wireless operation while both coupled and uncoupled from steering wheel (fig. 12, col. 7 line 59 thru col. 8 line 17). However, Chennakeshu et al. does not specifically disclose keypad operation through the use of tactile cues on fascia and housing tactile operational cues on fascia and rotating display. But it would have been obvious to one ordinary skilled in the art at the time the invention was made to replace the keypad and display with the keypad with tactile cue operational and the rotating display in order to provide the customer with the option of the display information.

Regarding claim 50, Chennakeshu et al. further discloses the invention in accordance with claim 49 comprising: a wireless communications device (#100 fig. 5).

Regarding claim 51, Chennakeshu et al. further discloses the invention in accordance with claim 49 comprising: a speakerphone (#48 fig. 1).

Regarding claim 53, Chennakeshu et al. further discloses the invention in accordance with claim 49 comprising: Velcro attachments for coupling to steering wheel of a motor vehicle (#84 fig. 12, col. 7 lines 59-67).

Regarding claim 54, Chennakeshu et al. further discloses the invention in accordance with claim 49 comprising: molded housing for conformance and attachment to steering wheel of motor vehicle (fig. 12, col. 7 lines 59-67).

10. Claims 14, 16, 43, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennakeshu et al. (6,542,758) in view of Stenman et al. (6,223,029).

Regarding claim 14, Chennakeshu et al. further discloses the invention in accordance with claim 1. However, Chennakeshu et al. does not disclose a wireless headset.

Stenman et al. teaches the hands-free device comprises a wireless headset (#220 fig. 3, col. 6 lines 37-47). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. with the teaching of Stenman et al. of wireless headset in order to provide the driver with the hands-free operation while driving.

Regarding claim 16, Chennakeshu et al. further discloses the invention in accordance with claim 1 further comprising:

- a) a display (#46 fig. 1);
- b) wireless two-way (Bluetooth) connectivity (col. 4 lines 40-67).

c) a speakerphone (col. 4 lines 40-67). However, Chennakeshu et al. does not specifically disclose a rotating visual operational-display; a wireless headset. But it would have been obvious to one ordinary skilled in the art at the time the invention was made to replace the display of Chennakeshu et al. by the rotating visual operational-display in order to provide the user with the option of viewing the display information.

Stenman et al. teaches a wireless headset (#220 fig. 3, col. 6 lines 37-47). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. with the teaching of Stenman et al. of wireless headset in order to provide the driver with the hands-free operation while driving.

Regarding claim 43, Chennakeshu et al. Further discloses the invention in accordance with claim 29 further comprising: an input keypad coupled to a steering wheel (#44 fig. 1); a visual display (#46 fig. 1) coupled to steering wheel. However, Chennakeshu et al. does not specifically disclose a headset coupled via a retractable cable.

Stenman et al. teaches a headset (col. 2 lines 36-43). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Chennakeshu et al. with the teaching of Stenman et al. of headset in order to provide the driver with the hands-free operation while driving.

Regarding claim 52, this claim is rejected for the same reason as set forth in claim 14.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label
"PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA. Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Joseph Nguyen



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